

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 28, 2007**

DIVISION ONE

B200564 Louis F. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Department of Children and Family Services, r.p.i.)

Let a peremptory writ of mandate issue requiring respondent court to vacate those parts of its July 11, 2007 order denying petitioner Louis F. reunification services and setting a permanent plan hearing under Welfare and Institutions Code section 366.26. In all other respects, the petition is denied. Real party in interest's motion to take additional evidence is denied.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Jackson, J. (Assigned)

B191555 People (Not for Publication)  
v.  
McClellan et al.

The judgments are affirmed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Rothschild, J.

September 28, 2007 (Continued)

## DIVISION ONE (continued)

B191332 People (Not for Publication)

V.

## Rodas

The judgment is reversed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Jackson, J. (Assigned)

B193606 People (Not for Publication)

V.

Simms

The order under review is reversed, and the matter is remanded for an evidentiary hearing on the petition for a writ of habeas corpus.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Rothschild, J.

B192573 People (Not for Publication)

V.

Killingsworth

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Rothschild, J.

DIVISION THREE

B156997      People                                  (Not for Publication)  
v.  
Victor M. Aguilera

The sentence imposed by the trial court is vacated. The matter is remanded for a bench trial or further proceedings on the question of whether Aguilera suffered a prior conviction in case No. NA037937 and for resentencing, consistent with the opinions expressed herein. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

B190957      Lorraine Steinhart      (Certified for Publication)  
v.  
County of Los Angeles

The judgment of dismissal is reversed with directions to reinstate Steinhart's complaint. Steinhart shall recover costs on appeal.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

B187977 People (Not for Publication)  
v.  
Sandoval

The judgment is reversed with respect to the sentence imposed on count 1 for murder, and the matter is remanded to the trial court with directions to resentence appellant on count 1 in accordance with *Sandoval*, *supra*, 41 Cal.4th 825. The judgment is also modified to reflect that appellant's consecutive term of imprisonment on count 3 for attempted voluntary manslaughter (§§ 192, subd. (a), 664) is one year. In all other respects, the judgment is affirmed. Upon remand, the superior court is directed to prepare an amended abstract of judgment that reflects the modification regarding count 3, and that identifies the conviction under count 3 as one for attempted voluntary manslaughter.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

## DIVISION FOUR (continued)

B186556 People (Not for Publication)  
v.  
Simental

The conviction of grand theft (§ 487, subd. (a)) on count 2 is reversed. The award of conduct credit is modified to award only 20 days. (§ 2933.1, subds. (a) & (c).) Otherwise, the judgment is affirmed. The trial court is ordered to prepare an amended abstract of judgment reflecting these changes.

Willhite, Acting P.J.

We concur: Manella, J.  
Suzukawa, J.

B166484      Sanz and Daley      (Not for Publication)  
v.  
Chmura and Norman

The orders appealed from are affirmed. Respondents shall receive their costs on appeal.

Willhite, J.

We concur: Epstein, P.J.  
Suzukawa, J.

September 28, 2007 (Continued)

## DIVISION FOUR (continued)

[illegible]

The maximum term of confinement is stricken and in all other respects the order of wardship is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

[illegible]

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.  
Suzukawa, J.